

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

PAUL JULIAN MANEY,

Case No. 6:16-cv-02192-CL

Petitioner,

ORDER

v.

CHRISTINE POPOFF,
Superintendent, Oregon
State Correctional Institution,

Respondent.

AIKEN, District Judge:

Petitioner, an inmate at Oregon State Correctional Institution, brought this petition for habeas relief pursuant to 28 U.S.C. § 2254. This action was stayed pending the decision in another case filed by petitioner, *Maney v. Persson*, Case No. 6:15-cv-00259-JE. On May 16, 2017, Magistrate Judge Clarke issued lifted the stay and issued Findings and Recommendation and recommended dismissal of the petition. The matter is now before me. *See* 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b).

Petitioner filed no objections to the Findings and Recommendation, which generally relieves me of my obligation to give the findings de novo review. *See Thomas v. Arn*, 474 U.S.

1140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

Regardless of objections, I may accept, reject, or modify any part of the Findings and Recommendation. 28 U.S.C. § 636(b)(1)(C). Upon review, I find no error. Petitioner has no constitutional due process right to obtain funding for an updated psychological examination in parole proceedings, and his petition does not allege a viable claim to support habeas relief.

Swarthout v. Cooke, 562 U.S. 216, 220 (2011).

Accordingly, the Findings and Recommendation issued by Magistrate Judge Clarke on May 16, 2017 (ECF No. 8) is ADOPTED, and the petition (ECF No. 2) is DISMISSED. A Certificate of Appealability is denied on the basis that petitioner has not made a substantial showing of the denial of a constitutional right pursuant to 28 U.S.C. § 2253(c)(2).

DATED this 13th day of June, 2017.



Ann Aiken
United States District Judge